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ARTICLE 1 - PURPOSE

These Bylaws of the Faculty of Medicine and all amendments adopted as hereinafter shall constitute the rules and regulations governing the conduct and procedures of the Faculty of Medicine in the performance of its duties and in the exercise of its authorized powers, as specified by the constitution of the University Faculty of Case Western Reserve University. They are intended also to facilitate the participation of the clinical and adjunct faculty in organizing and executing the curriculum of the School of Medicine.

ARTICLE 2 - THE FACULTY OF MEDICINE

2.1: Membership of the Faculty of Medicine

The Faculty of Medicine shall consist of (1) regular faculty, defined as all persons who hold full-time appointments in the School of Medicine and who have unmodified titles at the rank of professor, associate professor, assistant professor, senior instructor, instructor, and (2) special faculty, those who hold these ranks modified by the adjective clinical, adjunct, visiting, or emeritus/a. In addition, fifteen students, two elected from and by each of the four University Program medical school classes, two elected at-large from and by Cleveland Clinic Lerner College of Medicine ("CCLCM") students, two elected from and by M.D.-Ph.D. students, and three elected from and by medical school graduate students, shall act as non-voting student representatives. The president of the university, a vice-president of the university responsible for medical school activities, and an administrative officer from and selected by each affiliated hospital shall be members of the faculty *ex officio*. The Dean of the School of Medicine shall furnish annually to the secretary of the University Faculty a list of all full-time members of the faculty. (A full-time faculty member is one who is a member of the University Faculty as defined in the Faculty Handbook of Case Western Reserve University.) The Faculty of Medicine shall create a Faculty Council to which it shall delegate all powers not reserved to itself (described below in Article 3).

2.2: Officers of the Faculty

The president of the university and, in the president's absence or by the president's designation, the dean of the School of Medicine or the dean's representative

manner. The office of the dean shall be requested to supply appropriate administrative support for these functions.

2.3: Authorities and Powers of the Faculty of Medicine

a. Authorities. Those authorities delegated by the University Faculty to the Faculty of Medicine for the educational, research, and scholarly activities of the School of Medicine shall reside in the Faculty of Medicine.

b. Powers Reserved. The regular faculty members of the Faculty of Medicine shall: (1) make recommendations to the dean for consideration and transmittal to the University Faculty Senate concerning the establishment, discontinuance, or merging of any department, and (2) act upon any matter of import referred to the Faculty of Medicine by the Faculty Council for its recommendation.

The regular faculty members of the Faculty of Medicine shall have the power to recommend approval of amendments to these bylaws and the power and obligation to elect (1) senators to the University Faculty Senate; (2) at-large members of the Faculty Council; and (3) a majority of the voting members of the standing committees listed in section 2.6a. Faculty members shall also have the power and obligation to elect their departmental Faculty Council representative (see Article 3.3).

2.4: Meetings of the Faculty of Medicine

a. Regular Meetings. The Faculty of Medicine shall schedule meetings at least three times each academic year. The dean of the School of Medicine shall be asked to describe the state of the medical school generally at one of the meetings. Another meeting shall have as its main business a program relating to medical education. A third meeting will have an agenda approved by the Faculty Council with at least one-half of the meeting devoted to open forum items. Meeting dates and times will be coordinated to accommodate appropriate schedules. In the event of university closure, a Faculty of Medicine meeting scheduled for that day shall be rescheduled. The Faculty Council may cancel a scheduled meeting of the faculty in the event there is no business to be conducted.

b. Special Meetings. The Faculty of Medicine shall also meet on the call of the president or the dean, or on written petition of at least 10 faculty members presented to the Faculty Council, or at the request of the Faculty Council.

2.5: Voting

a. A quorum of the faculty for both regular and special meetings shall consist of 100 members who are eligible to vote on the issue before the faculty as defined below (2.5c-2.5e). Proxies are not acceptable for purposes of either establishing a quorum or voting.

b. Special meetings of the faculty shall be conducted according to Robert's Rules of Order, Newly Revised. A majority of those present and voting shall be necessary to effect action.

c. Special faculty whose titles are modified by the adjectives adjunct or clinical may vote at meetings only on matters concerning the planning and approval of the curriculum, the execution of the instructional program, the formulation of policies with regard to student affairs, appointment and promotion of special faculty; the election of members of committees dealing with such issues, and the election of their representatives to the Faculty Council.

d. Emeritus and visiting faculty members shall not be eligible to vote.

e. Prior to each faculty meeting, Faculty Council will determine which

(5) The Committee on Medical Education serves to evaluate, review, and make recommendations concerning overall goals and policies of the School's medical education program, which includes the University and College programs.

(6) The Committee on Students shall have the responsibility of reviewing the total performance of all students and the authority for decisions on student standing and student promotions. Each year it shall submit the list of candidates for the award of the degree of Doctor of Medicine to Faculty Council (see Article 3.1a).

(7) The Lecture Committee shall serve as a selection committee for speakers where no other regular mechanism is in place.

(8) The Committee on Biomedical Research shall carry out the faculty's role in formulating policies related to the conduct of research in the School of Medicine on matters including but not restricted to the research portfolio, enabling technologies, research infrastructure, and biomedical workforce.

(9) The Committee on Women and Minority Faculty shall be established as a Standing Committee as specified in its charge.

b. The majority of the voting members of each of these Standing Committees shall be elected by the regular members of the Faculty of Medicine. The number of non-voting members shall not exceed the number of voting members. The Dean may appoint members to any standing committee in accordance with the prescribed structure of each such committee as specified in its charge. The number of appointed voting members shall be less than the number of elected voting members. The chair of the Faculty Council shall solicit recommendations for committee chair appointments from each standing committee, and then shall normally appoint one of the elected members to be the chair of each such committee, unless other provisions for appointment of chairs are made in these Bylaws.

c. Standing Committees shall be established or discontinued only by amendment of the School of Medicine Bylaws. The two committees that cannot be discontinued are the Standing Committee on Appointments, Promotion and Tenure, and the Standing Committee on Budget, Finance, and Compensation whose existence is mandated by the Faculty Handbook. *Ad hoc* committees shall not be appointed that duplicate or substantially overlap with the missions and charges of the Standing Committees. The role of the Faculty Council in relation to standing committees is described in Article 3.1. The regular members of the Faculty of Medicine shall vote upon the nominees and shall elect the majority of voting committee members. The standing committees shall be reviewed by the Faculty Council at least once every five years. Standing committees may present proposed changes to their own charge for consideration by the Faculty

- a. To act for the Faculty of Medicine regarding the planning and execution of

terms of at-large Faculty Council members shall be staggered such that one or two basic science and one or two clinical science representatives are elected each year. No more than one at-large representative shall be from a single department or VAMC service group.

c. Institutional representatives: Upon notification by the dean, full-time faculty based at each affiliated institution shall elect one of their members who has a primary base at that institution and who has not been elected a department representative to be a representative to the Faculty Council.

d. VA representatives: All full-time faculty members whose hospital base in the VAMC will be assigned to one of six VAMC service groups to be represented (Medicine, Primary Care, Surgery/Anesthesiology, Research, Neuropsychiatry, and Diagnostic Services). The faculty members in each of these service groups will elect one representative. The dean will provide a list of the faculty members assigned to each service area before the start of each academic year. A VAMC faculty member is not eligible to vote in elections or serve as a representative for the department at UHMHC or other affiliate in which they hold their primary appointment but is eligible to serve as a clinical at-large representative.

e. Special Faculty representatives: The nomination and Elections

between meetings. Steering Committee meetings may be canceled by proposal of the chair of

within its membership following the annual election, either committee may ask the chair of Faculty Council to appoint a single ad hoc voting member to serve on the respective committee for the remainder of the year. In the case of the Steering Committee, the appointee should be a current member of the Faculty Council. In the case of the Nomination and Elections Committee, the appointee should be a regular member of the Faculty of Medicine.

In addition, the Nomination and Elections Committee shall nominate (1) candidates for the at-large representatives to the Faculty Council, (2) candidates for the representatives of the special faculty whose titles are modified by the adjective adjunct or clinical to the Faculty Council, (3) candidates for standing committees of the Faculty of Medicine, and (4) candidates for the University Faculty Senate. In the case of at-large representatives, senators, or members of the Committee on Appointments, Promotions, and Tenure, the number of candidates shall be at least twice the number of positions to be filled. In recruiting faculty for the ballot, the Nomination and Elections Committee shall strive to produce a diverse slate of nominees, considering gender, race, institutional affiliation and representation of basic and clinical departments. A nominee may not be put on the ballot if in winning the election they would serve on more than two standing committees of the Faculty of Medicine or Faculty Council (ad hoc committees are not included in this count). Exceptions will be made only if no other candidates come forward to fill a committee vacancy. Elections shall be conducted by email or other electronic means, using a preferential voting system. Ballots shall include a clear explanation of the preferential voting system. Ballots listing candidates for Faculty Council, senators, and standing committees of the faculty shall be mailed to all full-time members of the faculty. Ballots listing candidates for the representatives of the special faculty on the Faculty Council shall be distributed to all special faculty whose titles are modified by the adjective adjunct or clinical. Ballots listing candidates for committees dealing with the planning and approval of the curriculum, the execution of the instructional program, and the formulation of policies with regard to student affairs shall be distributed.

the Faculty of the School of Medicine. The dean shall be requested to supply administrative support for the elections.

c. Special Committee to Nominate Candidates for the Search Advisory Committee to the President on the Selection of the Dean of the School of Medicine. This special nominating committee shall be formed when needed and shall consist of the chair of Faculty Council, three other members of the Steering Committee of the Faculty Council, three elected members of the Nomination and Elections Committee, and four academic department chairs (two Basic Science, two Clinical) of the School of Medicine. The chair of the Faculty Council shall serve as chair of this special nominating committee, and the other ten members shall be elected by their respective groups. The majority of the nominees for the Search Advisory Committee selected by this special nominating committee shall be full-time members of the Faculty of Medicine. The president is requested to consider these nominees when appointing members of the Search Advisory Committee.

In the early stages of the search for the dean of the School of Medicine, the chair of the Faculty Council shall solicit recommendations, opinions, and advice regarding selection of the dean from members of the Faculty of Medicine by mail and submit these views directly to the Search Advisory Committee. When a final list of candidates for the position of dean has been assembled, the Search Advisory Committee is requested to solicit the views and advice of the Steering Committee of the Faculty Council on the ranking of the candidates.

d. Other Committees of the Faculty Council. The Faculty Council may create other standing and *ad hoc* committees of the Faculty Council to carry out specific functions and duties assigned to it. These committees may include members who are not Faculty Council members.

3.7: Meetings of the Faculty Council

a. The Faculty Council shall meet at least once every two months from September through June of each academic year. A faculty Council meeting may be canceled by proposal of the chair of Faculty Council and the majority vote of the Steering Committee members, except when canceling such a meeting would violate the mandate above. Special meetings may be called by a majority vote of the Steering Committee, by a written petition of 10 members of the faculty addressed to the chair of the Faculty Council, or by the dean.

b. The agenda for each meeting shall be prepared by the Steering Committee, posted electronically, and sent electronically to all faculty members at least one week in advance of regular meetings and at least two days in advance of special meetings

c. Minutes of the meetings shall be kept and shall be distributed in a timely fashion to Faculty Council members, to the dean, to all department chairs, and to each member of the

Faculty of Medicine. Approved minutes shall be posted electronically and sent electronically to all faculty members. The dean is requested to provide administrative support for this purpose.

d. The meetings shall be conducted according to Robert's Rules of Order, Newly Revised. A parliamentarian may be appointed by the Faculty Council Chair in order to facilitate orderly transaction of business.

chairs may nominate at least three faculty members from among the primary full-time faculty (and other faculty) to serve as the committee.

d. Department chairs themselves shall not be members of their respective department's

suggestions, views and advice from interested individual department members or from the entire academic department. Verbal and/or written suggestions, views and advice directed to any

4.5: Review of Academic Departments

Periodic review of each department by persons external to the department is important for evaluation of the functioning of that department by the faculty and the dean. A committee appointed by the dean shall review each academic department at intervals no greater than 10 years. The review committee shall include at least one outside consultant. The dean shall transmit the review committee's report and recommendations to the chair of the Faculty Council. Departmental faculty shall be provided with an executive summary.

4.6: The Department of Biomedical Engineering

The Department of Biomedical Engineering is currently unique among the departments. Created by action of the Board of Trustees in 1968, it is a single department jointly based in the School of Medicine and the School of Engineering. The department chair will designate each faculty member, at the time of initial appointment, as being principally based in the School of Medicine or the School of Engineering. The principal designation will determine which School's pretenure period and which School's process and qualifications and standards for appointment, promotion, and award of tenure shall govern the appointment. In other respects, faculty in the department shall enjoy the rights and privileges and duties and responsibilities of faculty in both Schools.

4.7: The Division of General Medical Sciences (DGMS)

DGMS was established in 1986 and granted departmental status by the Board of Trustees. As such, DGMS has a representative to Faculty Council and a DCAPT. Faculty may hold a primary appointment in DGMS. DGMS is composed of specialized centers, each with budgetary autonomy, that allocate resources to support their educational, research and scholarly activities. Each center is headed by a director who recommends candidates for faculty appointment, promotion and tenure and is responsible for conducting annual reviews of full-time faculty members. The Dean of the School of Medicine shall serve as the Chair of DGMS and shall appoint an advisory committee composed of three basic science and three clinical department chairs. DGMS centers may be established or closed by the Dean with the approval of the Advisory Committee; these actions do not require approval of the Faculty Senate or the Board of Trustees. Faculty with primary appointments in DGMS shall retain their primary appointment in DGMS in the event of center closure. In all other regards, DGMS is the equivalent to an academic department.

ARTICLE 5 – FACULTY APPOINTMENTS, PROMOTION, AND GRANTING OF TENURE

constituent faculties or departments. The notice of appointment shall be issued jointly by the two constituent faculties or departments. Consideration of appointment, reappointment, promotion, and/or tenure for joint appointment arrangements shall be as described in the Faculty Handbook sections pertaining to such appointments. (Chapter 3, Article I, Section B, 6).

5.2: Terms of Appointment

Appointments with tenure shall be of unlimited duration until retirement, subject only to termination for just cause (see below). Tenure-track appointments shall normally be made for a term of one to five years and may be renewed until the end of the pre-tenure period. Non-tenure track appointments are renewable and shall normally be made for a term of one to five years. Special appointments shall be made for terms of one year or less.

5.3: Academic Freedom

Academic freedom is a right of all members of the Faculty of Medicine, and applies to university activities, including teaching and research. (Faculty Handbook, Chapter 3, Article I, Section D). Specifically, each faculty member may consider in his or her classes any topic relevant to the subject matter of the course as defined by the appropriate educational unit. Each faculty member is entitled to full freedom of scholarly investigation and publication of his or her findings.

5.4: Tenure

The basic purpose of tenure is to provide the assurance of academic freedom throughout the university. Another important purpose of tenure is to attract and retain outstanding faculty through continued commitment of the university to these faculty members. Tenured faculty

reasonable attempts to provide a tenured faculty member with an appointment of un

consideration of a faculty member more than three years beyond the normal pretenure period except for extensions made to primary care-giving parents, as described above. See also Faculty Handbook, Chapter 3, Article I, Section G.

The number, nature, and duration of pretenure period extensions made to an individual faculty member's pretenure period shall not be considered by the CAPT when reviewing that faculty member for award of tenure or promotion.

For faculty members whose tenure consideration has not produced tenure award during the pretenure period, further appointment is normally restricted to one year. In exceptional cases, individuals who failed to receive tenure may be appointed in the non-tenure eligible track on recommendation of the department Committee on Appointments, Promotions, and Tenure, the department chair, the Committee on Appointments, Promotions and Tenure of the School of Medicine, the dean of the School of Medicine, and the approval of the provost. Such appointments are contingent upon full financial support from non-university sources.

5.6: Qualifications for Appointments, Promotions and Granting of Tenure

Qualifications and standards for faculty appointments, reappointments, promotions, and granting of tenure shall be generally as stated in the Faculty Handbook of Case Western Reserve University. Specific qualifications and standards applying to the School of Medicine shall be determined by the Faculty of Medicine and appended to these bylaws. These qualifications and standards shall be reviewed every five years by the Faculty Council. The dean shall make the text of the current qualifications and standards available to all junior and newly appointed faculty members.

5.7: Tenure Salary Guarantee

Award of tenure for faculty of the School of Medicine should be accompanied by a base salary guaranteed by the School of Medicine that will be equal for faculty in the school's basic science and clinical science departments. The amount of the guarantee and its financial support are

appointment, for example, is a multiple-year appointment that differs from a multiple-three-year fixed term appointment in that, pending satisfactory performance and financial circumstances as determined by the chair and the dean, the appointment is renewed each year for the following three years. Financial support for rolling contracts is to be provided by the School of Medicine with the understanding that, prior to making the rolling commitment, the school would have the opportunity to enlist support from the appropriate hospital, clinical practice plan, or other appropriate entity to underwrite the guarantee.

5.9: Consideration of Recommendations for Appointments, Promotions and Granting of Tenure

a. Full-Time Faculty

All files will be forwarded to the dean after the Committee on Appointments, Promotions and Tenure, and, if applicable, the Steering Committee of the Faculty Council have discharged their responsibilities as specified above. The dean shall transmit the file, with added comments if desired, to the president of the university; for informational purposes, the dean will also provide the Dean of the Case School of Engineering with complete copies of the files of candidates in the Department of Biomedical Engineering with appointments principally based in the School of Medicine.

b. Special Faculty Appointments and Promotions

Special faculty appointments and promotions modified by the prefix adjunct, clinical, or visiting shall be recommended by the department chair and may be granted by the dean. For these clinical and adjunct appointments and promotions at the ranks of assistant professor, associate professor, and professor, the dean shall, prior to reaching a decision, also consider the recommendation

